



**Washington County Planning Commission Meeting  
August 14, 2007**

**Item #3. CONDITIONAL USE PERMIT.** Request permission to operate a crushing operation and batch plant, Section 11, T40S, R17W, SLB&M, generally located at the Snowfield Ranch Exit north of Pintura. Jason Campbell , applicant.

The planner explained that the applicant would like to operate a gravel and batch plant operation, with purchase of gravel from individual contractors. There will be a scale house and scales located on the property. Access for haul trucks would be from the Snowfield Exit on I-15, with ingress and egress from an existing County Road and a private easement. Sanitation and water needs for dust control will be addressed. The planner showed site plans on phasing that showed the location of the crusher, stock piles and scales area. The applicant is in contact with MSHA and EPA on portable crushing and screening equipment that will be reviewed and monitored when it is in place.

Jason Campbell, applicant, explained that the property is below the ledge, so they can't go any higher without purchasing additional property or obtaining rights from the BLM. The applicant's proposed site would be in the middle of two (2) other crushing operations in the area. Mr. Campbell said that his operation would be with MSHA's regulations. Although he didn't have specific hours of operation to propose, Mr. Campbell said he would like lenient hours and didn't feel that his proposed use would have an impact on the surrounding neighbors.

There was a discussion about whether or not there is an historical site on the applicant's property. The applicant thought that the route went through his property, but that the actual marker was located further south.

Chairman Stucki said that the applicant should be required to adhere to the same standards as the BLM would require. Chairman Stucki advised that they would need to know about the type of crusher, the number of trucks, stockpiles, water, and type of reclamation.

The planner explained that the EPA and MSHA would do a site trip and provide the applicant with all of their permitting requirements.

**Motion was made by Commissioner Balen to table the Conditional Use Permit, to operate a crushing operation and batch plant, to allow the applicant to continue to work with Staff and return with additional information, including the number of trucks, hours of operation, reclamation plans, signs, ingress and egress, placement of crushers and a photo of the site. Commissioner Christopher seconded the motion. Six (6) commissioners voted Aye. The motion carried.**

**Washington County Planning Commission Meeting**  
**August 28, 2007**

**Item #3. CONDITIONAL USE PERMIT.** Request permission to operate a crushing operation and batch plant, Section 11, T40S, R17W, SLB&M, generally located at the Snowfield Ranch Exit. Jason Campbell, applicant. (Tabled August 14, 2007)

The planner explained that the applicant would like to operate a gravel and batch plant operation, with purchase of gravel from individual contractors. These type of uses (mining and mineral development) are conditionally approved within the OST-20 Zone. There will be a scale house and scales located on the property. Access for haul trucks would be from the Snowfield Exit on I-15, with ingress and egress from an existing County Road and a private easement. The different site plans on phasing shows the location of crusher and stock piles and scales area. The planner advised that the commission should address operating hours, number of haul trucks, and provisions for reclamation of mining and mineral development. The planner showed photos that the applicant has provided, as well as additional photos taken by herself. The applicant is in contact with MSHA and EPA on portable crushing and screening equipment that will be reviewed and monitored when it is in place.

The planner gave a brief discussion about LUDMA (Land Use Development Management Act). In May 2005, this act was approved through the Utah State Legislature. The majority of changes in the Act were regarding how notices were given. One significant change was with the Ordinance pertaining to the Conditional Use Permit. The planner explained that Washington County had not yet made those amendments to their Ordinance. The planner said that for this proposal, the State regulations including MSHA, and the EPA should be carefully followed.

Rachelle Ehlert, said that even though those conditions have not been set out, the county attorneys, the applicant and the applicant's attorney have met to discuss this proposal. The applicant has agreed to work with the Commission on setting reasonable conditions. Ms. Ehlert counseled the commissioners to include these conditions in the discussion and in making decisions. These include reviewing MSHA and EPA regulations, signage, numbers of trucks, dust control, and hours of operation, which are normal requirements for mining. Ms. Ehlert cautioned that any decision made without standards could be considered arbitrary and capricious and overturned in a court of law.

Russell Gallian, attorney for the applicant, explained that LUDMA establishes that they are able to proceed under the rules in place at the time that application is made. Even if the rules are changed, without a pending Ordinance in place before application, the applicant would still have vested rights to proceed. Mr. Gallian said that the main noise concern is with the crushing operation, and explained that crushing would not be done constantly but only as needed.

There was a discussion about a letter submitted from the applicant outlining proposed operating hours and a reclamation plan. Because of the remote location and existing freeway noise, and early hours for cement pours, the applicant would like to operate the cement batch plant from

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2:00 a.m. to 6:00 p.m., if needed. The desired hours of operation for the sand and gravel operation would be from 5:00 a.m. to 10:00 p.m. The site will be mined from the lower slopes to a slope as determined by MSHA. Before opening an area, the top soil will be removed and stored in a manner to preserve it. The finished slopes will be recovered with the preserved top soil and reseeded with indigenous grasses and shrubbery. Once 20% of the estimated material is removed or three (3) years elapses (whichever first occurs), then the mined portion will be reclaimed. After reclamation, the mining will proceed up the slope until each 20% or three (3) year milestone is reached, at which time reclamation will again occur until the site is fully mined and reclaimed.

Kurt Allen, engineer, explained that additives, or surfactants, are not used for washing. The stones are cleaned by a volume of water under pressure.

Mr. Gallian said that the location is the one of the best places to obtain gravel in Washington County because the quality of gravel is excellent. Although gravel pits are hard to place, this site has no traffic issues because it is right along the UDOT right-of-way, and will not affect any County road. There is immediate access to the freeway. There is no access to children, and there are almost no residents.

There was a discussion regarding the freeway ramp and whether the trucks could create a hazard. It was suggested that a sign could be placed alerting motorists. Mr. Gallian pointed out that the freeway and ramps are built to UDOT's standards and the acceleration ramp is long enough for the trucks to acquire adequate speed to merge safely into traffic.

Doug Rogers, part-owner Snowfield Rock Products, said that the concern about the freeway on ramp is legitimate. Mr. Rogers has had conversations with Scott Munson, UDOT, about the on ramp being too short and merging immediately into traffic. There is a mound of rocks between the on ramp and the southbound lane, and Mr. Rogers said that his company has begun removal of those rocks at their own expense. These rocks are currently blocking the line of vision, and create a safety issue. Mr. Rogers said that he would like to see the applicant assist in paying for the rock removal. Mr. Rogers said that there are sometimes one hundred (100) trucks per day that travel on the freeway.

Ron Whitehead, Public Works Director, said that there is dialogue between UDOT and the County as to who controls the frontage road. UDOT has said that once the off ramp has been crossed it is a County road and needs to be improved to keep the dust down. Mr. Whitehead said that it still shows as part of the Federal Highway Project, and UDOT has not shown proof that it is a county-owned road. Mr. Whitehead agreed to call UDOT and verify ownership of the road. The applicant agreed to cooperate with UDOT and participate in any solutions in an equitable basis.

**Motion was made by Commissioner Hepworth to recommend approval for a conditional**

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**use permit to operate a crushing operation and batch plant, acknowledging that the applicant will cooperate with UDOT in followup on the on ramp issues expressed, and understanding that there is no use of chemicals or surfactants with the processing and that the applicant will provide adequate dust control and provide detail regarding the acquisition and use of water. Commissioner Christopher seconded the motion.**

Mr. Russell Gallian, attorney for the applicant, explained that there is an underground well on the property that has a large water right that will be used.

Commissioner Balen asked the motion includes hours of operation and the reclamation plan.

**Commissioner Hepworth stated that according the letter received from the applicant, dated August 27, 2007, addressing both operating hours and reclamation plans. Five (5) commissioners voted Aye. The motion carried.**

**Washington County Planning Commission Meeting  
September 9, 2008**

**Item #2. CONDITIONAL USE PERMIT EXTENSION.** Review extension to operate a crushing operation and batch plant, Section 11, T40S, R17W, SLB&M, generally located at the Snowfield Ranch Exit. Jason Campbell, applicant.

The applicant was not in attendance.

After a brief discussion, it was determined to let the previous motion for no action, that passed in the previous meeting stand.

**Motion by Commissioner Ford to let the previous motion stand. Commissioner Christopher seconded the motion. Five (5) commissioners voted Aye. The motion carried.**